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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

EVANISKO, LESLIE J

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/523,026

Applicant(s)

SIMON ET AL.

Examiner

Leslie J. Evanisko

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 February 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12 and 13 is/are rejected.
- 7) ☒ Claim(s) 9-11 and 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 02-02-2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### **Priority**

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### **Drawings**

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the angular indexing means being a part of the rotating valve as recited in claim 10 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **Specification**

3. The disclosure is objected to because of the following informalities: The specification lacks the appropriate section headings, as set forth in MPEP 608.01(a) and 37 CFR 1.77(c).

Appropriate correction and/or clarification is required.

### **Claim Objections**

4. Claims 1-14 are objected to because of the following informalities:

With respect to claim 1, the term “the deformable areas” in line 8 has no proper antecedent basis since no deformable areas were previously recited in the claim. Additionally, it is suggested that the term “latter” in line 10 be deleted and replaced with the actual structure to which it is referring (in this case, the “cover”) to insure the claim language is clear.

With respect to claim 2, the term “the separating surface” in lines 4-5 has no proper antecedent basis since no separating surface was previously recited in the claims.

With respect to claim 3, the term “the two pieces” in lines 3-4 has no proper antecedent basis and to correct this problem, it is suggested that the phrase --the two pieces (1, 3) to be indexed, namely-- be deleted from lines 3-4 of claim 3. Similarly, it is suggested that the term “piece (3, 1)” in line 6 be deleted and replaced with --of the

sleeve and the shaft-- to insure the claim language is clear. Note a similar change should be made to the similar language in claim 12.

With respect to claim 4, lines 2-3, it is suggested that the term "a cavity" be deleted and replaced with --the housing-- since that is how the slot 31 was previously defined in claim 3. Note a similar change is suggested for the similar language in claim 13.

With respect to claim 6, the terms "the separation surface," "the internal surface," and "the external surface" have no proper antecedent basis since none of those terms were previously recited in the claims.

With respect to claim 7, the claim is awkward and confusing and has several instances of antecedent basis problems and it is therefore suggested that claim 7 be amended to include language such as the following: --characterized in that said means for controlled supply of pressurized air provides air to both a separation surface between the sleeve and cover and the separation surface between the tube and sleeve, wherein the separation surface between the tube and sleeve is connected by at least one conduit to the controlled supply of pressurized air.--

With respect to claim 8, if changes as suggested above for claim 7 are made, then it is suggested that the phrase ", connecting the controlled supply (13) of pressurized air of the separation surface existing between the sleeve (3) and the shaft(1)," be deleted since it is unnecessary and somewhat confusing. Additionally, it is suggested that the term "a tube" in line 6 be deleted and replaced with --the tube-- since the tube was previously recited in claim 5.

With respect to claim 9, the claim is awkward and confusing and has several instances of antecedent basis problems, and it is therefore suggested that the claim be amended to include language such as the following: --wherein said at least one conduit comprises two conduits, a control valve (41) being arranged at adjacent ends of said two conduits for controlled supply of pressurized air, the control valve being configured such that the pressurized air flows toward the separation surface between the sleeve (3) and the cover (2) when it is desired to remove the sleeve (3), and toward the separation surface between the sleeve (3) and tube (37) when it is desired to remove the tube.--

With respect to claim 10, the term "the rotating type" in line 2 has no proper antecedent basis. Additionally, to be consistent with the language in claim 9, it is suggested that the phrase "in the direction of the tube (37)" in line 6 be deleted and replaced with --towards the separation surface between the sleeve and tube--.

With respect to claim 14, the term "a finger" in line 2 is confusing as to whether applicant is intending to recite an additional finger to the one recited in claim 10 or if applicant is referring to the same finger.

Appropriate correction and/or clarification is required.

### **Claim Rejections - 35 USC § 103**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-8 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Six (EP 855 268 A1) in view of Tocheport et al. (US 6,283,026 B1). Six teach a device for fixing a printing sleeve 3 on a cylindrical drive shaft 1 in which a deformable cover 2 is disposed between the sleeve 3 and the shaft 1, the surface of the shaft having a series of cavities 7 hollowed out therein, separated by bearing surfaces 12 on which the cover 2 is in abutment, the device comprising means adapted to ensure radial deformation of the cover under the effect of an over-pressure on the external face of the cover or an under-pressure on the internal face of the cover as recited. See Figures 1 and 3 and the English language abstract in particular. Although Six does not specifically teach the shaft and sleeve are provided with an angular indexing means, note Tocheport et al. teach the use of an angular indexing means 19 between a shaft 10 and sleeve 220 in a printing cylinder is well known in the art as exemplified by the indexing means shown in Figures 16-17 and described column 10, line 63 through column 11, line 36. In view of this teaching, it would have been obvious to one of ordinary skill in the art to provide the

cylinder of Six with an angular indexing means arranged between the shaft and sleeve as taught by Tocheport et al. to provide accurate registration of the printing member mounted on the sleeve as desired.

With respect to claim 2, note Six teach the means adapted to ensure radial deformation of the cover are constituted by a controlled supply of pressurized air to a separating surface between the sleeve 3 and the cover 2.

With respect to claims 3 and 11, note Tocheport et al. teach the angular indexing means includes a finger 192 disposed on the shaft 10 and adapted to be positioned in a housing 280 of complementary shape provided in the sleeve 220, as shown in Figures 16 and 17 and described in column 11, lines 9-36 in particular.

With respect to claims 4 and 12, note Tocheport et al. teach the finger 192 is mounted to move elastically in the housing under the action of spring 193 as described in column 11, lines 9-12.

With respect to claims 5-8, note although Six doesn't clearly teach the provision of a tubular member on the outer surface of the sleeve or the provision of or the provision of a conduit in the sleeve member for providing fluid communication with the pressurized air means, note Tocheport et al. teach providing the sleeve 22, 220, to be covered by a thin tube 56, 560 as shown in Figure 12 and the sleeve to thereby include a conduit 40, 240 connected to the pressurized air means to allow for the use of the pressurized air to aid in mounting and removing of the thin tube on the sleeve. See Figures 3-4 and 9-15 in particular. In view of this teaching, it would have been obvious to one of ordinary skill in the art to provide the cylinder and sleeve arrangement of Six with the conduit in fluid communication with the pressurized air supply as taught by



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Tocheport to allow for quick and easy mounting and dismounting of a tubular print member to the surface of the cylinder sleeve.

With respect to claim 8, note the conduit 40 of Tocheport includes a closure valve 36 preventing the emergence of air when the tube 56 is not mounted on the sleeve 22 as shown in the embodiment of Figures 3-4 in particular.

### **Allowable Subject Matter**

8. Claims 9-11 and 14 are objected to for the reasons set forth above as well as for being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the above objections to the satisfaction of the Examiner and in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter:

With respect to claim 9 in particular, the prior art of record fails to teach or fairly suggest a device for fixing a printing sleeve on a cylindrical drive shaft having all of the structure as particularly recited, in combination with and particularly including, having a control valve positioned at adjacent ends of two conduits for controlled supply of pressurized air making it possible to send the flow of pressurized air either towards the separation surface existing between the sleeve (3) and the cover(2) when it is desired to remove the sleeve (3), or towards the separation surface between the sleeve (3) and tube(37) when it is desired to remove the tube.

### **Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Palmatier et al. (US 6,725,775), MacSween et al. (US 6,599,396), and Francille et al. (US 5,706,731) each teach a cylinder having an intermediate sleeve member having obvious similarities to the claimed subject matter.


11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on T-F 8:00 am-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Leslie J. Evanisko  
Primary Examiner  
Art Unit 2854

lje  
September 16, 2006